

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

**RICKY L. TILLMAN, JR., surviving son
of Ricky L. Tillman, Sr., deceased**

Plaintiff,

V.

Case No. 1:20-CV-00178-SNLJ

BNSF RAILWAY COMPANY,

and

DONALD HANDY

and

**TITUSAN TOWNSEND, deceased by
Defendant Ad Litem Wally Bley**

Defendants.

DEFENDANT TITUSAN TOWNSEND’S MOTION FOR REMAND

COMES NOW Decedent Defendant, Titusan Townsend, by his duly appointed defendant ad litem, Wally Bley, and moves this Honorable Court to remand this case to the Circuit Court of Pemiscot County, Missouri, for the reason that this Court lacks subject matter jurisdiction.

Defendant Townsend does not consent to the removal of this action. By law, absent the unanimous consent of all Defendants this case must be remanded.

Defendant Townsend's Memorandum of Law in Support of this Motion for Remand is being filed contemporaneously herewith.

WHEREFORE, Defendant Townsend respectfully prays that this case be remanded to the Circuit Court of Pemiscot County, Missouri and for such other and further relief as the Court deems just and proper under the circumstances.

/s/ Wally Bley
Wally Bley #28657

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DEFENDANT AD LITEM FOR
DEFENDANT TUTISAN TOWNSEND

CERTIFICATE OF SERVICE

The undersigned certifies that on the 11th day of September, 2020, the foregoing instrument was filed electronically with the Clerk of the Court, to be served by operation of the Court's electronic filing system upon all attorneys of record.

Defendant Handy was served by mailing the foregoing instrument to him by U.S. Mail, first class postage prepaid to 1974 Longview Drive, Cape Girardeau, MO 63701.

/s/ Wally Bley